

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, *ex rel.*  
ROBERT C. BAKER,

Plaintiffs,

v.

COMMUNITY HEALTH SYSTEMS, INC. *et*  
*al.*,

Defendants.

No. CIV 05-00279 WJ/GBW

**PLAINTIFFS' MOTION TO AMEND PRE-TRIAL DEADLINES**

Plaintiffs believe that maintaining the October 14, 2014 trial date is essential to resolving this case, whether by jury verdict or settlement, in 2014. Plaintiffs are prepared to proceed to trial on October 14 under the schedule set forth in the Court's Jury Trial Notice, issued on March 17, 2014, and the attachments thereto (Doc. 629). However, to facilitate more orderly preparations for trial and to ensure that this case will be ready for trial on October 14, Plaintiffs hereby propose modifications<sup>1</sup> to the pre-trial schedule as follows<sup>2</sup>:

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<sup>1</sup> Defendants' supplemental report of their rebuttal expert is due September 15, 2014. Doc. 660. Plaintiffs propose that by September 19, 2014, the parties be allowed to provide supplements to the items listed in the pretrial schedule for the limited purpose of adding material relating to the Defendants' supplemental report of their rebuttal expert and the six depositions scheduled in August and early September 2014.

<sup>2</sup> On July 22, 2014, Plaintiffs' counsel sent an email to Defendants' counsel attaching a draft of the motion Plaintiffs planned to file in an attempt to obtain Defendants' agreement on the proposed revised deadlines so that the motion could be filed as a joint motion. On July 28, 2014, Defendants' counsel sent Plaintiffs' counsel an email stating that Defendants could not agree to the proposed revised deadlines and will oppose the motion. The instant motion contains a few revisions to the draft motion sent to Defendants on July 22.

EVENT	DATE/DEADLINE
Plaintiffs submit consolidated Pretrial Order to Defendants	August 22, 2014
Pretrial Order Filed	August 29, 2014
Proposed Exhibit Lists Filed	August 29, 2014
Witness Lists and Deposition Designations	August 29, 2014
Motions <i>in Limine</i> Filed	September 5, 2014
Jury Instructions Filed	September 5, 2014
(Joint) Statement of the Case Filed	September 5, 2014
Pretrial Conference	September 22, 2014, 9 am
Objections to Deposition Testimony Filed	September 26, 2014
Objections to Exhibits Filed	September 26, 2014
Responses to Motions <i>in Limine</i> Filed	September 26, 2014
Objections to Jury Instructions Filed	September 26, 2014
Notify court of any disagreements re deposition designations; mark counter designations	October 3, 2014
Proposed Voir Dire/Jury Questionnaire Filed	October 6, 2014
Trial Brief Filed	October 7, 2014
Objections to Voir Dire filed	October 9, 2014

Proposed Jury Verdict Form Submitted	TBD
Trial/Jury Selection Begins	October 14, 2014

Dated: July , 2014

Respectfully submitted,

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Acting Assistant Attorney General  
Civil Division

DAMON P. MARTINEZ

United States Attorney, District of New  
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\_\_\_\_\_/s/  
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I hereby certify that on July 29, 2014, I filed the foregoing electronically through the CM/ECF system, which caused counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

By: /s/HOWARD R. THOMAS